

(R-94-899)

RESOLUTION NUMBER R-283018

ADOPTED ON NOVEMBER 16, 1993

WHEREAS, Carmel Valley Partners I and The Baldwin Company filed an application for a ten-lot tentative map subdivision, located south of Valley Centre Drive between Carmel Creek Road and Carmel Vista Road, and described as a portion of the southwest quarter of the southeast quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Base and Meridian, and portions of Parcels 4 and 5 of Parcel Map 12871, and portions of Parcels 4 and 5 of Parcel Map 15957, in the Carmel Valley Community Plan area, in the Carmel Valley Planned District (CVPD)/Specialized Commercial (SC) and Visitor Commercial (VC) zones; and

WHEREAS, on November 16, 1993, the Council of The City of San Diego considered Tentative Map No. 93-0451, Piazza Carmel II, pursuant to Section 102.0307 of the Municipal Code of the City of San Diego, and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. 93-0451:

1. The map proposes the subdivision of a 20.97-acre site into ten lots for commercial/retail development. This type of development is consistent with the General Plan and the Carmel Valley Community Plan, which designate the area for commercial/

retail use. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the CVPD/EC and VC zones in that:

- a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Carmel Valley Planned District Development Plan/Coastal Development Permit (CVPDDP/CDP).
- b. All lots meet the minimum dimension requirements of the CVPDDP/EC and VC zones, as allowed under a CVPDDP/CDP.
- c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area setbacks, side yard and rear yard regulations, as allowed under a CVPDDP/CDP.
- d. Development of the site is controlled by Carmel Valley Planned District/Coastal Development Permit No. 93-0451.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating or cooling opportunities.

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4. The site is physically suitable for commercial/retail development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for commercial/retail uses.

6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 93-0451, which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision, as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the findings hereinbefore adopted by the City Council, Tentative Map No. 93-0451, Piazza Carmel II is hereby approved; the decision of the Planning Commission is overruled, and Tentative Map No. 93-0451 is hereby granted to Carmel Valley Partners I and the Baldwin Company, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess  
Deputy City Attorney

JKR:pev  
02/01/94  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 93-0451

1. This tentative map will expire November 16, 1996.
2. The final map shall conform to the provisions of Carmel Valley Planned District/Coastal Development Permit (CVPD/CDP) No. 93-0451.
3. Prior to recordation of the final map, the subdivider shall submit an approved Coastal Development Permit for this project.
4. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

5. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
6. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
7. Every final map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better, as published in the County of San Diego's Horizontal

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Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

8. The approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
9. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
10. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
11. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0415 et seq.
12. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
13. Prior to the recordation of the final map, a Transportation Demand Management (TDM) Plan shall be submitted to, and approved by, the TDM Administrator.
14. This tentative map is within the Carmel Valley Community, for which a Transportation Phasing Plan has been incorporated in the Public Facilities Financing Plan. Contained within this plan are individual traffic facility

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improvements. Before predetermined thresholds of development may be exceeded, the City Engineer must be satisfied that these improvements are either:

- a. completed;
- b. under contract;
- c. bonded;
- d. scheduled and funded for construction in the immediate fiscal year of the City's Capital Improvement Program (CIP); or
- e. scheduled and funded for construction in the immediate fiscal year of the State Transportation Improvement Program (STIP).

The subdivider is advised that issuance of building permits may be limited or otherwise withheld because of unsatisfied thresholds in the phasing plan. The filing of a final map does not guarantee that building permits will be issued for properties within the final map area. A copy of the Carmel Valley Public Facilities Financing Plan may be viewed or purchased at the office of the Facilities Financing Division.

15. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
16. Prior to the recordation of the final map, the subdivider shall provide CalTrans approval for this project.
17. Valley Centre Drive is classified as a four-lane collector street, constructed as a four-lane major street, within a 98-foot-wide right-of-way. The subdivider shall dedicate additional right-of-way to provide a 65-foot width from the centerline of Valley Centre Drive, from the centerline of Carmel Creek Road, a point 300 feet westerly, which is at the most easterly driveway, and transition to existing right-of-way and shall provide pavement, curb, gutter, and five-foot-wide sidewalk, adjacent to the entire project site, within an 18-foot curb-to-property-line distance, satisfactory to the City Engineer.
18. The subdivider shall modify the traffic signal at the intersection of El Camino Real and Valley Centre Drive and

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shall restripe the approaches to provide the lane configurations, which includes an additional northbound right-turn lane, as shown in the approved traffic study, satisfactory to the City Engineer.

19. The subdivider shall modify the traffic signal at the intersection of Carmel Creek Road and Valley Centre Drive and shall provide road improvements, satisfactory to CalTrans and the City Engineer. The required improvements may require the dedication of an additional four feet, which would result in a total of a 69-foot width from the existing centerline of Valley Centre Drive from the centerline of Carmel Creek Road to a point 300 feet westerly. Therefore, the subdivider shall provide a four-foot-wide street reservation, satisfactory to CalTrans and the City Engineer.
20. The subdivider shall modify the existing median, located at the driveway between Lots 6 and 7, to allow eastbound/westbound left turns only into the adjacent commercial sites, satisfactory to the City Engineer. Northbound/southbound left turns will not be allowed.
21. The subdivider shall construct a traffic signal at the intersection of Valley Centre Road and Carmel Vista Road, satisfactory to the City Engineer.
22. The subdivider shall enter into a bonded agreement for the future construction of a traffic signal at Valley Centre Road and the driveway located between Lots 6 and 7 and shall provide annual monitoring reports to determine if signalization is warranted. If signalization is warranted, the driveway shall have one left-turn lane and one shared through/right-turn lane, satisfactory to the City Engineer.
23. The subdivider shall annually monitor the intersection of Valley Centre Drive and Carmel View Road to determine if additional intersection control is needed, satisfactory to the City Engineer.
24. In accordance with the approved traffic study, the most westerly driveway, opposite Carmel Vista Road, shall be constructed with a 30-foot curb radius and with a 34-foot width from median-to-curb, and the following exiting-lane configurations:
  - a. one left-turn lane,
  - b. one through/left lane, and
  - c. one right-turn lane.

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25. The subdivider shall provide a reciprocal-access easement and a shared-parking agreement, satisfactory to the Planning Director and the City Engineer.
26. The subdivider shall annually submit a shared-parking study, satisfactory to the City Engineer.
27. Prior to the recordation of the final map, the subdivider shall submit and have approved a site plan and a shared-parking study, satisfactory to the City Engineer.
28. Water Requirements:
  - a. Prior to the issuance of any building permits, the number of EDU's in this development must be added to the total for Carmel Valley. If the total number of EDU's in Carmel Valley exceeds 7,709, then this development is subject to the construction and operational acceptance of Reach 4 of the 30-inch Green Valley Pipeline. Reach 4 is located in Sorrento Valley Road. If the total number of EDU's in Carmel Valley exceeds 9,000, then this development is subject to the construction and operational acceptance of the entire 30-inch Green Valley Pipeline.
  - b. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.
29. Sewer Requirements:
  - a. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.
  - b. The developer shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and have cleansing velocities.
30. Water and Sewer Requirements:
  - a. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than

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- one lot. The developer shall provide private easements for the private mains or show easement locations in the CC&R's.
- b. The subdivider shall grant adequate water and/or sewer easements with vehicular access, satisfactory to the Water Utilities Director. No structures of any kind shall be built in or over the easement without first obtaining encroachment removal agreements from the City Engineer.
  - c. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance O-17327. The developer shall design and install a reclaimed water distribution system within the subdivision, in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution with the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
  - d. The final map(s) shall show all existing water, sewer, and/or general utility easements, satisfactory to the Water Utilities Director. The old easements may be abandoned after all public improvements associated with the tentative map are constructed, operational, and accepted by the City of San Diego (including as-built drawings).
31. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
32. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

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In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

33. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

34. Prior to the issuance of any building permits, the developer shall demonstrate compliance with the North City West School Facilities Master Plan. Compliance may be evidenced through either of the following methods: (a) by otherwise demonstrating the availability of school facilities to accommodate residents of the subdivision; or (b) by participating in the "School Deposit Procedure" alternative, as provided in the Master Plan. A development agreement may be required, as provided in the North City West School Facilities Master Plan to implement the deposit procedure.

FOR INFORMATION:

- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
- This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By Blonde B. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Resolution R-283018 NOV 16 1993  
Number..... Adopted.....